

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

[Docket Number FRA-2005-21965]

Applicants: Rock and Rail LLC., Mr. Franklin Lloyd, President, P. O. Box 1026, Canon City, Colorado 81215; Canon City and Royal Gorge Railroad, Mr. Mark Greka, Owner/Manager, 1106 Rose Street, Georgetown, Colorado 80444; Union Pacific Railroad, Mr. T. T. Ogee, AVP Engineering Design, 1400 Douglas Street, Stop 0910, Omaha, Nebraska 68179.

Rock and Rail LLC., the Canon City and Royal Gorge Railroad, and the Union Pacific Railroad Company (UP) jointly seek approval of the proposed discontinuance and removal of the traffic control system, on the single main track and sidings between Canon City, Colorado, milepost 159.2 and Parkdale, Colorado, milepost 171.8, on the former UP Denver Area, Tennessee Pass Subdivision, a distance of approximately 12.6 miles.

The reason given for the proposed changes is that due to changes in operation and traffic, the signal system is no longer required. The UP closed the trackage as a through route in August 1997, and in 1998 sold the portion of trackage from Canon City to Parkdale to RGX.LLC. The line was severed and RGX.LLC acquired a stub-ended industrial spur, accessible only from the Canon City, with no potential for through traffic.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and include a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI-401, 400 7th Street, SW., Washington, DC 20590-0001. Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the internet at the docket facility's Web site at <http://dms.dot.gov>.

FRA wishes to inform all potential commenters that anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor

union, etc.). You may review DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on August 8, 2005.
Grady C. Cothen, Jr.,
Deputy Associate Administrator for Safety Standards and Program
Development.
[FR Doc. 05-15952 Filed 8-10-05; 8:45 am]

BILLING CODE 4910-06-P